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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/842,130	04/26/2001	Yasusi Kanada	10012257	6545

		EXAMINER
7590	09/02/2004	NGUYEN, PHUOC H

HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
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ART UNIT	PAPER NUMBER
2143	

DATE MAILED: 09/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☐ Claim(s) _____ is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☐ Claim(s) *1,2,6-8 and 10-15* is/are rejected.

7)☒ Claim(s) *3-5 and 9* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 08/01/01 , 12/09/02

4)☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2.   Claims 1,2,6-8, and 10-15 rejected under 35 U.S.C. 102(e) as being anticipated by

Banginwar U.S. Pat. No. 6,611,863.

3.   Regarding claims 1,10, and 14, Banginwar discloses a method for controlling a

policy-based network (Abstract), comprising the steps of: establishing a first policy

within a policy server of the network, wherein the first policy includes at least a first

function and a second function (eg. Policies are created by administrator within the policy

server, and each policy has multiple functions associated with) (col. 2, lines 14-46);

converting the first policy into at least a second policy and a third policy, wherein the

second policy is associated with the first function and the third policy is associated with

the second function, distributing the second policy and the third policy within the

network to at least one node (eg. Device proxies received the created policy and

converted the policy to a device-specific configuration and then distributed the policy to

one or more devices within network) (col. 3, lines 21-29); and controlling the at least one

node using the second policy and the third policy (Figure 1; and col. 2, lines 13-34).

4.   Regarding claims 2 and 11, Banginwar further discloses the first policy includes

at least a first policy rule having the first function in the first policy rule and a second

policy rule having the second function in the second policy rule, and wherein the second

policy includes at least a third policy rule having the first function in the third policy rule,

and wherein the third policy includes at least a fourth policy rule having the second

function in the fourth policy rule (eg. Device proxies converted the policy to a device-

specific configuration wherein each converted policy inherently contain the multiple

function associated with it and then distributed the policy to one or more devices within

network) (col. 3, lines 21-29).

5.   Regarding claim 6, Banginwar further discloses the first policy includes a list of

condition parts of policy rules included in the first policy, wherein the second policy

includes a list of condition parts of policy rules included in the second policy, wherein the

third policy includes a list of condition parts of policy rules included in the third policy,

and wherein the list of condition parts included in the first policy is equal to the list of

condition parts included in the second policy and the list of condition parts included in

the third policy (eg. the filters provide device-specific attributes or characteristic that

identify devices to be policy managed by device proxy, and a wide variety of filters can

be used, including combinations or Boolean combination of various filters or conditions)

(col. 14, lines 16-65).

6.   Regarding claim 7, Banginwar further discloses the first policy includes at least a

first policy rule having at least a first condition and a second condition in a condition part

of the first policy rule, wherein the first condition and the second condition are coupled

with a logical "OR" operator, wherein the second policy includes at least a second policy

rule having the first condition in a condition part of the second policy rule and a third

policy rule having the second condition in a condition part of the third policy rule, and

wherein the third policy includes at least a fourth policy rule having the first condition in

a condition part of the fourth policy rule and a fifth policy rule having the second

condition in a condition part of the fifth policy rule (eg. the filters provide device-specific

attributes or characteristic that identify devices to be policy managed by device proxy,

and a wide variety of filters can be used, including combinations or Boolean combination

of various filters or conditions) (col. 14, lines 16-65).

7.   Regarding claim 8, Banginwar further discloses the first policy includes at least a

first policy rule having at least a first condition and a second condition in a condition part

of the first policy rule, wherein the first condition and the second condition are coupled

with a logical "OR" operator, wherein the second policy includes at least a second policy

rule having the first condition in a condition part of the second policy rule and a third

policy rule having the second condition in a condition part of the third policy rule,

wherein the second policy rule includes, in an action part of the second policy rule, a

marking action of a first value in a field in each of a plurality of data packets, wherein the

third policy rule includes, in an action part of the third policy rule, a marking action of

the first value in the field in each of the plurality of data packets, and wherein the third

policy includes at least a fourth policy rule, and a condition part of the fourth policy rule

determines whether the field in each of the plurality of data packets includes the first

value (eg. the filters provide device-specific attributes or characteristic that identify

devices to be policy managed by device proxy, and a wide variety of filters can be used,

including combinations or Boolean combination of various filters or conditions) (col. 14,
lines 16-65).

8.   Regarding claim 12, Banginwar further discloses the first policy includes at least
a first policy rule having a first condition in a condition part of the first policy rule and
having in an action part of the first policy rule a marking action of a first value of a field
in each of a plurality of data packets, wherein the second policy includes at least a second
policy rule, a condition part of the second policy rule determining whether the field in
each of the plurality of data packets contains the first value, and having the first function
in an action part of the second policy rule, and wherein the third policy includes at least a
third policy rule and a fourth policy rule, wherein the third policy rule includes the first
condition in a condition part of the third policy rule and the first function in an action part
of the third policy rule, and wherein the fourth policy rule includes a condition part for
determining whether the field in each of the plurality of data packets contains the first
value, and includes the first function in an action part of the fourth policy rule (eg. the
filters provide device-specific attributes or characteristic that identify devices to be policy
managed by device proxy, and a wide variety of filters can be used, including
combinations or Boolean combination of various filters or conditions) (col. 14, lines 16-
65).

9.   Regarding claim 13, Banginwar further discloses the first policy includes at least
a first policy rule and a second policy rule, wherein the first policy rule includes a first
condition in a condition part of the first policy rule and includes in an action part of the
first policy rule a marking action of a first value of a field in each of a plurality of data
packets, wherein the second policy rule includes a second condition in a condition part of

the second policy rule, wherein the second policy includes at least a third policy rule

having a condition part determining whether the field in each of the plurality of data

packets includes the first value, and having in an action part of the third policy rule the

first function, and wherein the third policy includes at least a fourth policy rule and a fifth

policy rule, wherein the fourth policy rule includes the first condition in a condition part

of the fourth policy rule and the first function in an action part of the fourth policy rule,

and wherein the fifth policy rule includes the second condition and a condition part for

determining whether the field in each of the plurality of data packets contains the first

value, and includes the first function in an action part of the fifth policy rule (eg. the

filters provide device-specific attributes or characteristic that identify devices to be policy

managed by device proxy, and a wide variety of filters can be used, including

combinations or Boolean combination of various filters or conditions) (col. 14, lines 16-

65).

10.   Regarding claim 15, Banginwar further discloses the conversion means converts

both the high-level policy into the plurality of low-level policies and the plurality of high-

level policies into the low-level policy (Figure 1; and col. 2, lines 13-34).

Allowable Subject Matter

11.   Claims 3,4,5, and 9 objected to as being dependent upon a rejected base claim, but

would be allowable if rewritten in independent form including all of the limitations of the

base claim and any intervening claims.

Conclusion

12.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

Reichmeyer et al U.S. Pat. No. 6,286,038 disclose a method and apparatus for

remotely configuring a network device.

Plutowski U.S. Pat. No. 6,473,851 discloses system for combining plurality of

input control policies to provide a compositional output control policy.

Stevens et al U.S. Pat. No. 6,539,425 disclose policy-enabled communications

networks.

Mahon et al Pub. No. : U.S. 2003/0115246 disclose policy management for host

name mapped to dynamically assigned network address.

Kanada Pub. No.: U.S. 2001/0039576 discloses network policy transmission

method from policy server to network node.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Phuoc H. Nguyen whose telephone number is 703-305-

5315. The examiner can normally be reached on Mon -Thu (7AM-4: 30PM) and off

every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, David A Wiley can be reached on 703-308-5221. The fax phone number for

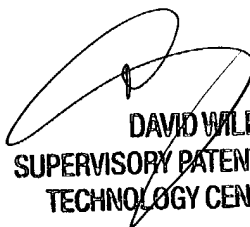the organization where this application or proceeding is assigned is 703-872-9306.

　　　　Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR. Status

information for unpublished applications is available through Private PAIR only. For

more information about the PAIR system, see http://pair-direct.uspto.gov. Should you

have questions on access to the Private PAIR system, contact the Electronic Business

Center (EBC) at 866-217-9197 (toll-free).

　　　　　　　　　　　　　　　　　　　　　　　　Phuoc H. Nguyen
　　　　　　　　　　　　　　　　　　　　　　　　Examiner
　　　　　　　　　　　　　　　　　　　　　　　　Art Unit 2143

August 31, 2004

DAVID WILEY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100